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FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Report of the Fifth Committee

Rapporteur: Mr. Peter MADDENS (Belgium)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fiftieth session the item entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 42nd and 43rd meetings, on 18 and 20 December 1995. Statements and observations made in the course of the discussion of the item are reflected in the relevant summary records (A/C.5/50/SR.42 and 43).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General on the financing of the International Criminal Tribunal for Rwanda (A/C.5/50/16 and A/C.5/50/47) and the related report of the Advisory Committee on Administrative and Budgetary Questions as presented orally by its Chairman (see A/C.5/50/SR.42).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/50/L.17

4. At the 43rd meeting, on 20 December, the Chairman of the Committee introduced draft resolution A/C.5/50/L.17.

5. At the same meeting, the Committee adopted draft resolution A/C.5/50/L.17 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the International Tribunal for Rwanda 1/ and the related report of the Advisory Committee on Administrative and Budgetary Questions as presented orally by its Chairman, 2/

Noting that detailed requirements for the International Tribunal for Rwanda for the full year of 1996 will be submitted to the General Assembly in early 1996,

1. Decides to appropriate to the Special Account for the International Tribunal for Rwanda an amount of 7,609,900 United States dollars gross (7,090,600 dollars net) for the period from 1 January to 31 March 1996, without prejudice to the comments and recommendations the Advisory Committee on Administrative and Budgetary Questions may make following its review of the full budget for 1996;

2. Decides also, as an ad hoc and exceptional arrangement, that, notwithstanding the provisions of paragraph 12 of its resolution 49/20 B of 12 July 1995, Member States will waive their respective shares in the credits arising from previous budgets of the United Nations Assistance Mission for Rwanda in the total amount of 3,804,950 dollars gross (3,545,300 dollars net) and hence accept an equivalent increase in the assessments for a future budget

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1/ A/C.5/50/16 and A/C.5/50/47.

2/ See A/C.5/50/SR.42.

period of the Assistance Mission in the same amount, to be transferred to the Special Account for the International Tribunal for Rwanda from the Special Account for the United Nations Assistance Mission for Rwanda;

3. Decides further to apportion the amount of 3,804,950 dollars gross (3,545,300 dollars net) for the period from 1 January to 31 March 1996 among Member States in accordance with the scale of assessments for the year 1996;

4. Decides that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 3 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 519,300 dollars approved for the International Tribunal for Rwanda for the period from 1 January to 31 March 1996.